

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 12, 2009**

**DIVISION TWO**

B200895      First Midland, Inc.                      (Not for Publication)  
                 v.  
                 Hargress, et al.

The judgment (order of dismissal) is affirmed.

Boren, P.J.

We concur:    Doi Todd, J.  
                     Chavez, J.

**DIVISION THREE**

B203245      People    (Not for Publication)  
                 v.  
                 Bacon

The judgment is affirmed in part, reversed in part and remanded for resentencing. The sentence is vacated to the extent indicated in this opinion and the matter is remanded to the trial court for a limited resentencing.

Klein, P.J.

We concur:    Kitching, J.  
                     Aldrich, J.

DIVISION THREE (continued)

B208237      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
C.S.

The order is affirmed.

Kitching, J.

We concur:    Croskey, Acting P.J.  
                 Aldrich, J.

B206407      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
L.R., Jr.

The order finding jurisdiction as to the Father based on an allegation pursuant to section 300, subdivision (b) is reversed. The order finding jurisdiction as to Mother based on section 300, subdivision (j) is affirmed. The dispositional order refusing to place T.D. in Father's custody is affirmed. The dispositional order of January 22, 2008, requiring monitored visits for Father twice per week is affirmed.

Kitching, J.

We concur:    Croskey, Acting P.J.  
                 Aldrich, J.

B205489      Darrell J. Moore  
v.  
Housing Authority of the City of Los Angeles et al

Filed order denying petition for rehearing.

DIVISION FOUR

B193550 People (Not for Publication)  
v.  
Shaw

The judgment is modified to reflect an additional court security fee of \$20 and, as modified, is affirmed. The clerk of the superior court is directed upon issuance of the remittitur to prepare a corrected abstract of judgment as set forth in this opinion and to forward it to the Department of Corrections and Rehabilitation.

Manella, J.

We concur: Willhite, Acting P.J.  
Suzukawa, J.

B205465      McVey  
v.  
Day

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

## DIVISION FIVE

B202231 People (Not for Publication)  
v.  
Ernest Scott

The five-year enhancement under section 667, subdivision (a)(1) is stricken. In all other respects, the judgment is affirmed.

Kriegler, J.

We concur:   Turner, P.J.  
                      Mosk, J.

DIVISION FIVE (continued)

B205602 Irene Shandell (Not for Publication)  
v.  
City of Compton

The judgment is reversed. Each party to bear their own costs.

Kriegler, J.

We concur: Turner, P.J.  
Armstrong, J.

B207124 People (Not for Publication)  
v.  
Jose Osorio

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.  
Kriegler, J.

B209351 Los Angeles County, D.C.F.S. (Not for Publication)  
v.  
B.H.

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.  
Armstrong, J.

## DIVISION FIVE (continued)

B205673 People (Not for Publication)  
v.  
Lionel Pandy

We remand to the trial court to recalculate defendant's custody credit.

Mosk, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

**DIVISION SIX**

B209455 People (Not for Publication)  
v.  
Allegria, III

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B201268 People (Not for Publication)  
v.  
Marin

Appellant's conviction on count 6 is vacated. The judgment is otherwise affirmed.

Coffee, J.

We concur:    Gilbert, P.J.  
                              Yegan, J.

January 12, 2009 (Continued)

## DIVISION SIX (continued)

B200998      People                                  (Not for Publication)  
v.  
Robinson, et al.

The trial court is directed to modify the abstract of judgment for Robinson to show a sentence of one year for the section 12022.7 enhancement to the robbery count, and to forward an amended abstract of judgment to the Department of Corrections. In all other respects the judgments for Knapp and Robinson are affirmed.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.

B206562      Rode                                  (Not for Publication)  
v.  
Front Range Motorcycles

The judgment is affirmed. Respondent shall recover costs.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.

## DIVISION SEVEN

B203093      Birke      (Certified for Publication)  
v.  
Oakwood Worldwide et al.,

The judgment is reversed and remanded. Each side to bear its own costs on appeal.

Woods, J.

I concur: Jackson, J.  
I dissent: Perluss, P.J. (Opinion)

## DIVISION SEVEN (continued)

[illegible]

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.  
Zelon, J.

B205320 People (Not for Publication)  
v.  
Espinoza

The sentence is modified to delete the 10-year criminal-street-gang enhancement of section 186.22, subdivision (b)(1)(C). Upon issuance of the remittitur, the superior court clerk is directed to issue an amended abstract of judgment and forward it to the Department of Corrections and Rehabilitation. As modified the judgment is affirmed.

Woods, Acting P.J.

We concur:   Zelon, J.  
                      Jackson, J.

B206381 People (Not for Publication)  
v.  
Davis

The appeal is dismissed.

Perluss, P.J.

We concur: Woods, J.  
Jackson, J.

## DIVISION SEVEN (continued)

B200985      Armstrong  
v.  
Bergin

(Not for Publication)

The post-judgment orders of the trial court are affirmed. Respondent to recover costs on appeal.

Woods, Acting P.J.

We concur:   Zelon, J.  
                      Jackson, J.